

Public

NOTICE OF HEARING

Docket No. 2009-015 Cause No. WD-04-2009

**BEFORE THE BOARD OF OIL, GAS
AND MINING**

**DEPARTMENT OF NATURAL
RESOURCES
STATE OF UTAH**

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING MATTER: Notice is hereby given that the Board of Oil, Gas, and Mining ("Board"), State of Utah, will conduct a hearing on WEDNESDAY, AUGUST 24, 2016, at 10:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah. The hearing will be streamed live on the Department of Natural Resources YouTube channel at <https://youtu.be/p6HZvrmEP0s>.

Docket No. 2009-015 Cause No. WD-04-2009: In the Matter of the Request for Agency Action of Utah Division of Oil, Gas, and Mining for a Cessation Order and Civil Penalties Against Montezuma Well Service, Inc., and Earl Martinez, Owner and Operator of the Montezuma Creek Waste Disposal Facility Section 14, T 40 So., R. 22 East, San Juan County, Utah.

THE PURPOSE OF THE PROCEEDING will be for the Board to receive testimony and evidence regarding a Notice of Agency Action filed by the Utah Division of Oil, Gas and Mining (the "Division") that the Board take the following actions: 1. Receive the report of the Division of Oil, Gas and Mining ("Division") regarding actions taken by Montezuma Well Services, Inc. and Earl Martinez to fulfill the terms of a stipulation entered to stay the actions requested in the Request for Agency Action; 2. If appropriate set the matter for an evidentiary hearing for the purpose of forfeiting the bond and terminating the permit; and 3. Provide such other relief as may be just and equitable under the circumstances.

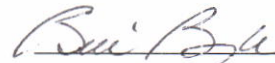
Objections to the Notice of Agency Action must be filed with the Secretary of the Board at the address listed below no later than August 10, 2016. A party must file a timely written objection or other response in order to participate as a party at the Board hearing. Failure to participate can result in a default judgment.

Natural persons may appear and represent themselves before the Board. All other representation of parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

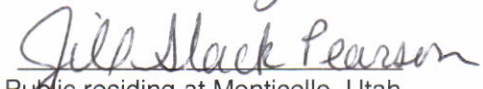
Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Notice of Agency

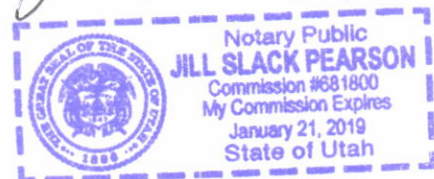
AFFIDAVIT OF PUBLICATION

I, William Webster Boyle, being duly sworn, depose and say that I am the publisher of **The San Juan Record**, a weekly newspaper of general circulation published at Monticello, Utah every Wednesday; that notice of Hearing Utah State Board of Oil Gas and Mining, was published in the regular and entire issue of each number of said newspapers for one issue, August 3, 2016. Said notice was also published on Utahlegals.com through the same timeframe.


Bill Boyle, Publisher

Subscribed and sworn to before me this 3 day of August
A.D. 2016.


Notary Public residing at Monticello, Utah
My commission expires January 21, 2019



notice

Action, and any subsequent pleadings, may be inspected at the office of the undersigned, and inspected online at the Utah Board of Oil, Gas and Mining's website at <http://ogm.utah.gov/amr/board-temp/redesign/books.html>.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 28th day of July, 2016.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
Ruland J. Gill, Jr., Chairman
/s/ Julie Ann Carter
Board Secretary
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116
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